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APPLICATION NO.	FILING DATE		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/935,562	08/21/2001		Mary Rogde	4222		
7	590	10/10/2002				
MARY ROG			EXAMINER			
46-285 IKIIKI ST. KANEOHE, HI 96744				MANOHARAN, VIRGINIA		
				ART UNIT	PAPER NUMBER	
				1764	9	
				DATE MAILED: 10/10/2002	_	

Please find below and/or attached an Office communication concerning this application or proceeding.

,					TC-2			
		Applica	tion No.	Applicant(s)				
		09/935,	562	ROGDE, MARY				
	Office Action Summary	Examin	er	Art Unit				
		, -	Manoharan	1764				
Period fo	- The MAILING DATE of this commun	ication appears on t	he cover sheet wi	th the correspondence add	ress			
A SHO THE N - Exten after: - If the - If NO - Failur	DRTENED STATUTORY PERIOD F MAILING DATE OF THIS COMMUNI sions of time may be available under the provisions SIX (6) MONTHS from the mailing date of this comn period for reply specified above is less than thirty (3 period for reply is specified above, the maximum st e to reply within the set or extended period for reply eply received by the Office later than three months a	CATION. of 37 CFR 1.136(a). In no enunication. 0) days, a reply within the satutory period will apply and will, by statute, cause the a	event, however, may a re tatutory minimum of thirt will expire SIX (6) MON pplication to become AB	aply be timely filed y (30) days will be considered timely. THS from the mailing date of this com ANDONED (35 U.S.C. § 133).	nmunication.			
earne	eply received by the Office later than three months a d patent term adjustment. See 37 CFR 1.704(b).	mer the mailing date of this	communication, even in t					
Status	Responsive to communication(s) fi	led on 21 August 20	201					
1)⊠ 2a)⊟	•	2b)⊠ This action						
2a)□ 3)□	Since this application is in condition	<i>,</i> —		ters prosecution as to the	merits is			
,	closed in accordance with the prac on of Claims				monto to			
4)🖂	Claim(s) $\underline{1}$ is/are pending in the app	olication.						
	4a) Of the above claim(s) is/a	re withdrawn from o	consideration.					
5) 🗌	Claim(s) is/are allowed.							
6)⊠	Claim(s) <u>1</u> is/are rejected.							
7)	Claim(s) is/are objected to.							
8) Claim(s) are subject to restriction and/or election requirement.								
	on Papers							
9) The specification is objected to by the Examiner.								
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).								
44\□ -								
11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner.								
If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner.								
Priority under 35 U.S.C. §§ 119 and 120								
=	Acknowledgment is made of a claim	for foreign priority	under 35 H.S.C. i	S 119(a)-(d) or (f)				
-	☐ All b)☐ Some * c)☐ None of:	rior foreign priority	under 33 3.3.3.	3 1 10(d) (d) 01 (l).				
α)ι	1.☐ Certified copies of the priority	documents have be	een received	·				
	2. Certified copies of the priority			polication No				
	3. Copies of the certified copies				stane			
* S	application from the Interi see the attached detailed Office action	national Bureau (PC	T Rule 17.2(a)).		.agc			
14)[] A	cknowledgment is made of a claim t	or domestic priority	under 35 U.S.C.	§ 119(e) (to a provisional a	application).			
) ☐ The translation of the foreign landshowledgment is made of a claim							
Attachment	t(s)							
2) Notic	e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (F nation Disclosure Statement(s) (PTO-1449) F			Summary (PTO-413) Paper No(s Informal Patent Application (PTO				
.S. Patent and Ti	ademark Office							

PTO-326 (Rev. 04-01)

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The abstract of the disclosure is objected to because of the inclusion of legal phraseology often used in patent claims. For example: 'comprises' recited in line 2. Correction is required. See MPEP § 608.01(b).

The specification has not been checked to the extent necessary to determine the presence of all possible minor errors e.g. typographical, grammar, idiomatic, syntax and etc. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

The sole claim is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. The sole claim, as it is framed, is functional to the point of being indefinite inasmuch as the narrative process language and the functional language make the actual structure vague and the true structural limitations for apparatus claims are not readily determine. The structure, which goes to make up the device, must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device.
- b. The term "the said" numerously recited in the claim e.g., in the second line from the bottom, is redundant.
- c. The term "pure" as in "pure water" recited in the last line is a relative term, which renders the claim indefinite. The term "pure" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one

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of ordinary skill in the art would not be reasonably appraised of the scope of the invention.

- d. In line 2 "called" should be—comprising--, --including—or the like as anyone of the latter terms is the language normally used in patent claims.
- e. The "whereby "clause is not understood, particularly with the recitation of "selectively urged". The means or device that will do the selective urging is not positively recited in the claim.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The sole claim is rejected under 35 U.S.C. 103(a) as being unpatentable over Klein in view of Posidento or Wilkerson and Gerber or Sear.

Klein discloses substantially the features of the apparatus as claimed. See Fig. 1 and the claims in col. 4-6. The apparatus of Klein differs from the claimed invention in that the sole claim recites in section (a) – (f) of "the said channel being connected to an outlet pipe to a U-tube that is connected to a collecting tank which in turn connected to a suction pump through a valve, and the said suction pump is also connected to a storage tank, and the said collecting tank is also connected to the said storage through another valve and the said storage tank is to be filled with the condensed water from the said chamber". However, Possidento or Wilkerson, Jr. teaches a U -shaped trough for collecting condensate. See e.g., col. 5, lines 1-9 and Fig. 5 of Possidento; and in the

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abstract of Wilkerson. Gerber or Sear is applied to teach that the claimed valves and suction pumps are conventionally used in a solar desalination plant for their art-recognized functions. See e.g. Fig. 1 of Gerber. To incorporate the elements of Possidento or Wilkerson and Gerber or Sear to the apparatus of Klein would have been obvious to one of ordinary skill in the art as all the references are directed to the same processing environment, i.e., to a solar distillation device.

The "whereby" clause in the sole claim does not recite any elements of an apparatus, and therefore cannot distinguished from the prior art in the structural sense.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Hay, Swaidan and Deutsch, all disclose a solar still.
- b. Hirota et al discloses an apparatus wherein said liquid reservoir member has a black inner surface.
- c. Delano discloses a solar still with floating slab supporting particulate radiant energy receptor.
 - d. Anderson and Coanda et al, both disclose the purification of water.
 - e. Maine discloses a solar heat collector.
- f. Castellucci et al discloses a solar distillation device with ceramic modules to improve the evaporation rate.

Any inquiry concerning this communication from the examiner should be directed to V. Manoharan whose telephone number is (703) 308-3844. The examiner can generally be reached on Tuesday--Friday from 7:30 a.m. to 6:00 p.m..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mrs. Marian Knode can be reached on (703) 308-4311. The fax phone numbers for the organization where this application is assigned are (703) 872-9311 for regular communications and (703) 308-0651 for After Final communications.

Any inquiry of a general nature or relating to the status of this application should be directed to the receptionist whose telephone number is (703) 308-0661.

V. Manoharan/dh October 9, 2002

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